

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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VIRGINIA M. MCNEIL,

Plaintiff,

v.

Case No. 10-C-461

MICHAEL J. ASTRUE,

Defendant.

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**ORDER**

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On May 28, 2010, the plaintiff, Virginia M. McNeil (“McNeil”), filed this action, seeking review of a final decision of the Commissioner of Social Security denying her claim for disability insurance benefits. Accompanying her complaint was a motion for leave to proceed in forma pauperis, which was denied by United States District Judge William C. Griesbach. After the parties consented to magistrate judge jurisdiction, the plaintiff filed a renewed petition to proceed in forma pauperis on June 22, 2010. In her renewed petition (which is actually signed by counsel), the plaintiff asserts the following: “Plaintiff does receive half of her husband’s pension and they do own a car and residence (with a mortgage); however, all of their money is spent on household expenses, neither can work or earn additional income and they cannot sell their house and car to pay court fees.” (Pet. at 1.) In addition, the plaintiff explains that she is unable to pay the fee without borrowing funds from her loved ones.

However, the plaintiff also indicated in her petition and affidavit to proceed without prepayment of fees and/or costs filed on May 28, 2010 and then again in her renewed petition filed on June 22, 2010 that she is currently not married. The court is unable to reconcile the contradictory nature of the plaintiff’s statements regarding her marital status without further clarification. This clarification is important because it may directly affects the plaintiff’s monthly income. Therefore,

within ten days of the date of this order, the plaintiff will be required to submit further clarification on her seemingly inconsistent statements to the court regarding her marital status and monthly income.

**NOW THEREFORE IT IS ORDERED** that the plaintiff file a statement clarifying her marital status and the amount of her monthly income within ten (10) days of the date of this order.

**SO ORDERED** this 23rd day of June 2010 at Milwaukee, Wisconsin.

s/ William E. Callahan, Jr.  
WILLIAM E. CALLAHAN, JR.  
United States Magistrate Judge